

REMARKS/ARGUMENTS

Claim amendments

By the present amendment, claims 1, 8, 37 and 43 have been amended. Specifically, the claims have been amended to specify that the cells are eukaryotic cells. Claims 1, 2, 6, 8, 11, 16-20, 27, 30, 31, 34, 37 38, 41, 43, 46-49, 56 and 59 are pending in the present application.

The amendments to the claims have been made without prejudice and without acquiescing to any of the Examiner's objections. The Applicants reserve the right to file any of the canceled subject matter in a divisional patent application. The Applicants submit that no new subject matter has been added by way of the present amendment and entry of the claim amendments is respectfully requested.

The Office Action dated May 14, 2007 has been carefully considered. It is believed that the claims submitted herewith and the following comments represent a complete response to the Examiner's rejections and place the present application in condition for allowance. Reconsideration is respectfully requested.

35 U.S.C. § 112, First Paragraph

The Examiner has maintained the rejection to claims 1, 2, 6, 8, 11, 16-20, 27, 30, 31, 34, 37, 38, 41, 43, 46-49, 56 and 59 pursuant to 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Specifically, the Examiner has stated that one of ordinary skill in the art would have no reasonable expectation that the claimed invention would be operable in a prokaryotic cell.

In order to facilitate allowance, the Applicants have amended claims 1, 8, 37 and 43 to specify that the cell used in the method of the invention is a eukaryotic cell. The Applicants respectfully submit that this amendment overcomes the Examiner's rejection to the claims.

Application No. 10/509,787

Response dated: July 19, 2007

Response to Office Action dated: May 14, 2007

In view of the foregoing, the Applicants respectfully request that the rejections to the claims pursuant to 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement be withdrawn.

Early and favorable action on the merits is awaited. Should the Examiner deem it beneficial to discuss the application in greater detail, the Examiner is invited to contact the undersigned by telephone at (416) 957-1684 at the Examiner's convenience.

The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to our Deposit Account No. 02-2095.

Respectfully submitted,

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